IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO: 23442 of 2004

Between:

Convenor/General Secretary, rep. by A.P. Health Employees Association, V.V.L.N. Murthy, S/o. Late Subba Rao, 56 Years, Reg. No. 118/73, H.No. 16-11-20/6; Saleemnagar Colony, Hyderabad.

.... PETITIONER

AND

1)The Government of A.P., rep. by its Prl. Secretary,

Health Medical and Family Welfare Department, Secretariat, Hyderabad.

2) The Secretary, General Administration Department,

Govt. of A.P., Secretariat, Hyderabad-22.
3) The Director of Health A.P., Koti, Hyderabad.
4) The Regional Director of Medical and Health Services,

Visakhapatnam.
5) The Regional Director of Medical and Health Services,

Rajahmundry, E.G.District.
6) The Regional Director of Medical and Health Services,

Guntur, Guntur District.
7) The Regional Director of Medical and Health Services,

Kadapah, Kadapah District.

8) The Regional Director of Medical and Health Services,

Warangal, Warangal District.
9) The Regional Director of Medical and Health Services,

Hyderabad, Hyderabad District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an order or writ more in the nature of writ of certiorari calling for the records relating to the file in the O.A.No. 6316/2004 dt. 18.11.2004 of A.P. Administrative Tribunal and set aside the same and consequently direct the respondents 4 to 9 to implement the Memo No. 14151/Ser. Wel/03 dt. 28.10.2003 issued by the 2nd respondent during the counselling for transfers and promotions and further declare the action of the Respondents 4 to 9 in not implementing the Memo No. 141519/Ser.Wel/03 dt. 28.10.2003 issued by the 2nd respondent as illegal, arbitrary and unconstitutional and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.B.RANGANATHA RAO

Counsel for the Respondents: GP FOR MEDICAL HEALTH & FAMILY WELFARE

The Court made the following:

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ORDER: - (By GB,J)

This writ petition is filed assailing the order, dated 18.11.2004, passed by the Andhra Pradesh Administrative Tribunal in O.A.No.6316 of 2004. The Tribunal dismissed the O.A on the ground of no cause of action.

2. Learned counsel for the petitioner submits that by Memo No.14159/Ser.wel/03, dated 28.10.2003, the representation of the Association was directed to be considered by the Director of Health, but the same has not been considered and therefore, he seeks appropriate directions.

3. Under those circumstances, without going into the merits of the case, we are inclined to dispose of the writ petition with a direction that the representation forwarded by the Government in Memo, dated 28.10.2003, shall be considered and disposed of by the Director of Health, if not already disposed of.

4. With the direction indicated above the writ petition is disposed of. No costs.

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G.BIKSHAPATHY, J

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P.S.NARAYANA, J

Dated: 16.12.2004

RAR

To

1)The Prl. Secretary, Health Medical and Family Welfare

Department, Government of A.P., Secretariat, Hyderabad.
2) The Secretary, General Administration Department,

Govt. of A.P., Secretariat, Hyderabad-22.
3) The Director of Health A.P., Koti, Hyderabad.
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8) The Regional Director of Medical and Health Services,

Warangal, Warangal District.
9) The Regional Director of Medical and Health Services,

Hyderabad, Hyderabad District.

10)2 CCs to G.P for Medical, Health &Family Welfare,

High Court Buildings, Hyderabad (OUT)

11)2 CD copies